

No. 19-6829

ORIGINAL

Supreme Court, U.S.
FILED

NOV 29 2019

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Lisa Washington — PETITIONER
(Your Name)

vs.

Deleon, et al — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Ninth Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Lisa Washington
(Your Name)

2342 Shattuck Ave.
(Address)

Berkeley Ca. 94704-1517.
(City, State, Zip Code)

405 564-3315
(Phone Number)

QUESTION(S) PRESENTED

1. When the court does not file the summons and compliant for a Petitioner that was granted to proceed in forma pauperis, does it violate Petitioner's due process right under the fourteenth amendment, or is that under the Fifth Amendment access to the court?
2. How does Petitioner that is granted to proceed in forma pauperis, serve the summons and compliant, under the procedural Federal Rule of the court, when the court does not issue the summons?
3. Do federal procedural rules apply to District court judges, under the fourteenth amendment, due process?
4. When an administrative officer of the court acts in a prosecutorial way, rather than judicial role, does the Petitioner have the right to recuse the judicial officer, under the Fifth Amendment?
5. Does the civil Rico law apply to court officers in their official capacity as judges?
6. In proceeding in forma pauperis, does the Petitioner have a right to appeal a District court order which is appealable under the rule of law?
7. Does Petitioner give up access to the court under the fourteenth amendment when proceeding in forma pauperis?
8. Does Petitioner have to serve any document on defendant under the federal procedure rules or rule 29 if the summons was never issued by the court?

LIST OF PARTIES

All parties do not appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

Mary Oakland, Nona Washington, Amanda Plowman, Gregory D. Pike esq. Jeffrey V. Rocha esq., M. Brett Burns, Michael Barnes, Elizabeth Throne, Rebecca Olsen, Allstate corporation, Knox Ricksen LLP, Dentons US LLP, Everest Leap LLC, University of California The Regents of, Janet Napolitano in her official capacity as President of the University of California Berkeley, Carol T. Christ, in her official capacity as chancellor of the University of California, Berkeley, Transportation Brokerage Specialist Inc., Amazon, Full steam Staffing, LLC, Diana Deleon Doreen Carr, Jehovah's Witnesses National Organization, Watchtower Bible and Tract Society of New York, Union City Congregation of Jehovah's Witnesses, Nora Aung, Mindy Oong, Dose 1 through 25.

RELATED CASES

Alameda County Superior court case	CH156673-6 – H217756-6
Alameda County Superior court case	HG16799652
United States District court Northern District of California case	314-CR-02984-CRB
United States Court Of Appeals for the Ninth Circuit Case	16-15608
United States District Court Northern District of California case	4:19-CV-02271-JSW
United States Court Of Appeals for the Ninth Circuit case	19-16457

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IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☒ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☐ is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☐ is unpublished.

JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was Sep 4, 2019 .

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A .

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A .

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

U.S.C 1915 (e) z (B)

18 U.S.C 1962(C)

U.S.C 1961 (1) (5)

18 U.S.C 1961 (1) (B)

U.S.C 1512

STATEMENT OF THE CASE

On the course of my court case in Alameda county Superior court. Petitioner has uncovered that Alameda court officials along with federal officials and others are using the power of the courts to conduct two racketeering schemes.

The racketeering schemes includes amongst other things, unlawfully colluding to facilitate the operation of a Rico enterprise, jury tampering embezzling and bribing court officers.

Over the past years, Petitioner has collected documents that verify facts related to this effort. I have been a direct victim and or witness to most of the events described. However, you will find my accounts of these events to be credible because, in almost all cases multiple fact patterns are consistent with one another.

I am deeply concerned that the actions described below constitute a serious of flagrant problems, abuses or violation of the law. Petitioner is also concerned that these actions pose risks to the very fabric of our democracy and the rule of law.

Parties whose rights are to be affected are entitled to be heard Mathew v. Eldrige 424 US 319, 333,(1976)

On or about April 25,2019, Petitioner filed a complaint in the Northern District of California, San Francisco. The case was assigned to a US Magistrate Judge.

On or about May 3,2019, Petitioner decline to proceed before a Magistrate Judge. On May 7,2019, Magistrate Judge Joseph C. Spero of the United State District court issued a report and recommendations.

Judge Joseph C. Spero stated that Petitioner complaint be dismissed as frivolous and for failure to state a claim under U.S.C 1915 (e) z (B) with leave to amend. Judge Spero went on to say if Petitioner chooses to amend her complaint she is encouraged to focus on a subset of defendants. The undersign also stated that the complaint dose not include factual allegations as opposed to mere conclusory statements. Petitioner was to file a FAC.

The federal Rules reject the approach that pleading is a game of skill in which one misstep by counsel may be decisive to the outcome and accept the principle that purpose of pleading is to facilitate a proper decision on the merits. Maty v. Graddelli Chemical Co., 303 U.S. 197, 58 S Ct 507, 82 L.Ed. 745.

On May 8,2019, the case was order reassigned to judge Charles R. Breyer. After disqualifying himself due to cameras in the court room. On or about May 10,2019 the case was assigned to Judge Jeffrey S White.

On May 21,2019, Petitioner filed a motion for Judge White to recuse himself. Judge White objected to being recused and adopted the recommendations of Judge Spero.

SERVING THE SUMMONS

Petitioner application to proceed in forma pauperis was approved. The court was to issue the summons and complaint and forward it to the United States Marshal to be served on the defendants.

According to the United States District Court Northern District of California representing yourself in Federal Court: A hand book for Pro Se Litigants on page 19 It states; if your application to proceed in Forma Pauperis is approved, then the court will issue the summons and forward it to the United States Marshal to serve on the defendants at no cost to you.

The court never issue the summons to be forward to the Unites States Marshal to serve on defendants.

FIRST AMENED COMPLAINT

On or about June 24,2019, Petitioner submitted a FAC along with 26 Exhibits. The FAC was filed in San Francisco district court. The District clerk called Petitioner, and said, "Petitioner couldn't file the FAC in the San Francisco District court and would have to come and pick up the FAC and file it in Oakland District court". Petitioner did just so.

On July 9,2019, Judge Jeffrey S White, dismissed the civil Rico claim due to Petitioner allegations are largely conclusory and the facts are not sufficient. Judge Jeffrey S. White stated, in the order that he would grant one final opportunity to amend the complaint on conditions.

UNITED STATES COURT OF APPEALS

On or about July 22,2019, Petitioner, filled a timely appeal in the United States Court of Appeals for the Ninth Circuit.

On or about September 4,2019, the United Stated of appeals court circuit Judge Tashima, M. Smith, and Christen reviewed the records and dismissed the appeal due to the lack the

jurisdiction over the appeal because the order challenged in the appeal is not final or appealable.

On or about September 14, 2019, Petitioner spoke to a law clerk at the United States Court of Appeals for the Ninth Circuit. I explained to the law clerk that the summons was never served on the defendants. The law clerk stated that I could file a review of the order.

On or about September 11, 2019 Petitioner filed a motion for review of the order. The Petition for review is still pending.

On October 25, 2019, Petitioner, filed a Motion to stay of mandate pending a Petition for certiorari.

On or about October 25, 2019, the United States District court issued the final order in the case.

RACKETEERING

The first enterprise is Mary Oakland, Trina Blackshire, Nona Washington, Commissioner Sue Alexander, Commissioner Boyen hall, Judge Winifred Smith acting as a enterprise to obstructed justices, embezzle money from Alameda County Court appointed attorney program, bribe other court officers, and retaliate against Petitioner for whistleblowing.

The above participated in the enterprise to carry out the direction of the enterprise and are associated in fact.

The enterprise carried out these schemes by bribing and conspiring with Petitioners employers and other Alameda County officials, and others.

The officers of the court and Petitioners employers became the spoke that turned the wheel in the enterprise racketeering scheme.

The acts were open-ended and started in 2009 to present. The acts include a specific threat of repetition extending indefinitely into the future.

The above defendants are culpable who willfully knowingly, malicious committed racketeering, activity through a Pattern association in fact and effect on interstate commerce. Each defendant violated 18 USC 1962 (C) by the act described below.

The members of the enterprise functioned as a continues unit with an ascertainable structure separate and distinct from that of the conduct of the pattern of racketeering activity.

The defendants each of whom are persons associated with , or employed by the enterprise did knowingly, willfully, unlawfully maliciously conduct or participated directly in the affairs though a pattern of racketeering activity with the meaning of U.S.C 1961 (1) (5) and 1962 (c).

Further the acts of racketeering by defendants have continuous. The association in fact enterprise as alleged herein were not limited to the predicate acts and extended beyond the racketeering activity.

Predicate act uses of mails to defraud Petitioner in violation of USC 1341 and 1343.

The defendants intended to devise a scheme to defraud Petitioner, or to obtain money from Petitioner by the false or fraudulent pretenses and representation. The defendant was fully aware of the scheme.

Defendants used the mail or commercial carrier or by wire to conspire and bribe public official.

Mary Oaklund would be schedule for an appearance in department 508 at the hayward superior court, Mary Oaklund would not appear, but on the minute order, it would state she appeared.

Mary Oaklund would them bill (the taxpayers) Alameda County court appointed program.

Four different Judges and Commissioners removed Mary Oaklund from the case, but some how her name would keep appearing on the minute order, that she was appearing in court.

Petitioner blew the whistle and Mary Oaklund retaliated.

Defendants M. Brett Burns in case # 314-CR-02984-CRB bribe a public official by having exparta meeting with Judge in the case. The case was dismissed and M. Brett Burns, frauded Petitioner by getting a judgment against plaintiff for over \$5,000.00

To be a membership in the bar is a privilege burdened with conditions. An attorney is received into that ancient fellowship for something more than private gain. He becomes an officer of the court, and like the court itself, an instrument or agency to advance the ends of justice. USC 1341 and 1343. (citations and quotations omitted).

THE SECOND ENTERPRISE

The second enterprise Gregory D Pike esq. Amanda Plowman, Jeffrey V. Richa esq. Michael Barnes, Allstate Corporation, Elizabeth Throne, Rebecca Olsen Dentons US LLP.

The above participated in the enterprise carry out the direction of the enterprise in a pay to play scheme, by bribing Judge Jo-Lynn Q. Lee, of the Alameda County Superior Court case number (HG16799652). This case arises out of a hit and run.

The summons was severed on March 8,2016, on defendant Allstate Corp, and Rebecca Olsen. The defendant filed a demurrer to the complaint on April 11,2016. The complaint was served-on March 8,2016.

The demurrer was to be heard on May 25,2016; the hearing never took place. There was never a first case management conference.

On September 1, 2016 a motion to strike reservation set for department 18 date October 25, 2016 at 3:00 pm filed by Allstate Corp.

On October 25,2016, Petitioner appeared in department 18 for the motion to strike. The clerk told Petitioner that there was not going to be a hearing due to judge Lee made a tentative ruling on the same day of the hearing. The clerk state that Jeffrey Rocha, the attorney for Rebecca Olsen, called judge Lee in the morning and talked with her about the case.

Elizabeth Throne appeared for Allstate and requested to talk to Judge Lee in chambers. Elizabeth Throne stayed in Judge Lee chambers engaged in an exparte meeting for over 30 minute or more. Judge Lee granted the defendant motion to strike.

Elizabeth Throne and Michael Barnes filed a memorandum of cost on behalf of Rebecca Olsen.

Elizabeth Thowne filed a notice of entry of order on November 10,2016, to dismiss partial as to Allstate.

Michael Barnes filed a dismissal partial as to Allstate.

A bill notice was filed. On March 13,2018 a remittitur was filed. When you went to the case summary and clicked on March 13,2018 the judgment for Allstate Corp. came up and the memorandum of cost. These documents were hidden under a remittitur.

The above had a specific intent to obstruct or interfere with the judicial proceeding in Petitioner case. The defendant new a proceeding was pending at the time. The obstruct of justice was to further the scheme to fraud, and the pay to play scheme.

In fact, the Rico statute, itself, provides that conduct relating to prior litigation may constitute racketeering activity, 18 U.S.C 1961 (1) (B) (defining racketeering activity as including

an act indictable under 18 U.S.C. 1512, which relates to tampering with a witness, victim, or informant).

On or about July 1, 2019, there was a jury trial in Alameda Court Superior court department 18 Judge Lee presiding. During jury selection Petitioner notice that some jurors know Gregory D Pike esq. the defendant attorney. The clerk had a member of her family come and be a juror. The court would not say the clerk last name due to it was the same as the jurors. The court attendant was seen outside the courthouse after the selection with his arm around one of the jurors as if he knows him.

Petitioner dismissed one of the jurors, Judge Lee became very up set with Petitioner, and told the clerk to pull up the list, then judge Lee, said" that we would readjourn in the morning".

Petitioner, believes that juror number 5, and another juror are professional juror that Judge Lee calls to swing the verdict.

REASON FOR GRANTING THE PETITION

Good cause supports this request for this writ of certiorari. The writ of certiorari will ensure the orderly resolution of the important constitutional question presented in this case while avoiding uncertainty for the public and irreparable injury to the commonwealth.

Furthermore, a writ of certiorari is appropriate under this court precedent because this case presents a close question that is a question that very well could be decided the other way. In the absence of a writ of certiorari would likely produce legal uncertainty and confusion.

For the foregoing reasons, this court should grant the writ of certiorari in this case.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Lisa Washington

Date: 11/28/2019